

MONTANA LEGISLATIVE HISTORY

Chapter 42 19 67

Bill H 71 S _____ Original bill & history C

H. Committee on Business & Industry

Hearing Date(s) Jan 20 ✓ C

Jan 21 ✓ C

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Date Out Jan 21 ✓ C

S. Committee on Commerce & Labor

Hearing Date(s) Feb 13 ✓ C

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Feb 13 ✓ C

Did this bill originate in an interim committee? Yes No

Committee _____

Report _____

January 20, 1967

MINUTES OF THE
BUSINESS AND INDUSTRY COMMITTEE

Meeting was opened by Chairman Pierce. The secretary called the roll and read the minutes from the last meeting.

HB61 was first order of business. Representative Goan, proponent and chief sponsor of HB61, spoke for the bill. He said the bill makes only one change in the present statute. He said in the present statute, forms on which to report abandoned property are mailed once a year by the state treasurer. Mr. Goan feels an annual report isn't necessary and would change this to every ten years. He said he has heard opposition to this bill because some people feel that ten years is too long, so it would be agreeable with him if the committee wanted to amend the bill to read every five years instead of ten. The witness was excused.

Discussion followed:

Mr. John Riskin, representative of the United States Brewers' Association, spoke as a proponent of HB73. He said the Montana restriction at the present time for the number of square inches on interior brewery signs was 300 square inches, and that he would like to see this amended to 630 square inches so that out-of-state breweries wouldn't have to make special signs for Montana. The witness was excused.

Representative Christiansen next spoke as a proponent for HB71. He presented an amendment to the bill, which would change section 2, subsection 1, to delete the word "partially" when referring to the definition of Imitation Indian Arts and Crafts Articles. He said that now Indians themselves use some synthetics in their work. He feels the bill is necessary to protect the authentic Indian craft industry, and to protect the public from buying imitation articles unknowingly. At this point Mr. Christiansen introduced Mr. John Hill, Delegate-at-Large for the Crow Tribe, who spoke in behalf of the Crow Tribe in favor of the bill. Mr. Hill said the Tribal Policy Board went on record to support HB71.

Discussion followed.

Mr. K. W. Bergan, Coordinator of Indian Affairs for the State of Montana, presented various original Indian-made articles for the committee to examine. He spoke in favor of the bill, also. The witnesses were excused.

Representative Delano explained the intent of HB37. He said the Senate had passed such a bill already and that it was agreeable with him to put a "Do Not Pass" on the bill. It was decided to wait until the bill had been referred to the House before any action would be taken.

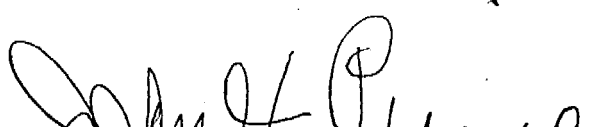
Chairman Pierce asked for discussion on HB71. Mr. East moved to hold action on this bill for further study; seconded by Stratton; motion carried with no opposition.

Motion was made by Delano to amend HB61 to read every five years instead of every ten years; seconded by Gilligan; motion carried with no opposition. Motion was made by Delano that HB61 pass as amended; seconded by Fischer; HB61 passed with no opposition.

Motion was made by Delano that HB73 pass; seconded by Mehrens; passed with no opposition.

Motion was made by Gilligan that HB181 pass; seconded by Delano; passed with no opposition.

Meeting was adjourned.



DETERIORATING COPY

RESOLUTION NO. 4
OF THE
MONTANA INTER-TRIBAL POLICY BOARD

A RESOLUTION TO RECOMMEND ENACTMENT OF A BILL TO REGULATE RETAIL SALE OF INDIAN ARTS AND CRAFTS

A BILL FOR AN ACT ENTITLED: "AN ACT REGULATING THE RETAIL SALE OF IMITATION AMERICAN INDIAN ARTS AND CRAFTS ARTICLES."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. As used in this act:

- (1) "Indian" means a person who is enrolled or who is a lineal descendant of one enrolled upon an enrollment listing of the Bureau of Indian Affairs, or upon the enrollment listing of a recognized Indian tribe, domiciled in the United States.
- (2) "Imitation Indian arts or crafts articles" means those made by machine, or made either wholly or partially out of synthetic or artificial materials, or articles which are not made by Indian labor or workmanship.

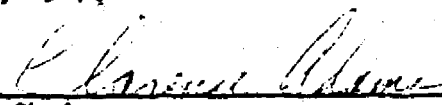
Section 2. No person shall distribute, sell, or offer for sale in this state any imitation American Indian art or craft articles unless the articles are at all times clearly and legibly designated as imitation.

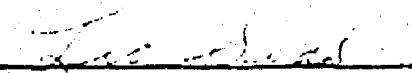
Section 3. Only those articles bearing a registered trademark or label of authentic Indian labor or workmanship may be deemed authentic Indian arts or crafts articles.

Section 4. Any person who violates this act is guilty of a misdemeanor.

CERTIFICATION

The foregoing resolution was duly adopted on the 17th day of January, 1967, by a vote of 7 for, 0 opposed, at a meeting of the Montana Inter-Tribal Policy Board in Billings, Montana, on January 17-18, 1967.


Chairman

Attest: 
Secretary

January 21, 1967

MINUTES OF THE
BUSINESS AND INDUSTRY COMMITTEE

Meeting was called to order by Chairman Pierce. The secretary called the roll.

Representative Conrad Lundgren, chief proponent and sponsor, explained HB183. Floor was then open to questions. There were none. E. E. McGilvra, member of the Motel-Hotel Association, spoke in favor of the bill and said that the bill is a joint effort of the Board of Health and the Hotel and Motel Association.

HB190 was the next order of business. Representative Jensen, chief proponent and sponsor of the bill, explained that without this bill there is no way to check on the exact amount of the original indebtedness of a party with which you may want to enter into a business contract. There is no way to check on the security of his collateral. The way the original bill was set up, you have a problem of getting a record of what a person owes. Witness was excused.

Discussion followed.

HJR15 was the next order of business. Chairman Pierce read the bill, and explained that the purpose of it was to provide set wages, explain specific jobs, and in general be a guide for the next legislative session for hiring competent legislative help. Mr. Stratton suggested an amendment to the bill explaining where the people of the next legislative session could obtain this report. Mr. Pierce moved to amend it to say: "BE IT FURTHER RESOLVED, this committee report be left with the Secretary of State for dissemination to the next legislative assembly."

Motion was made by Gilligan that HB71 do pass, seconded by Fischer; motion carried with Mr. East opposing.

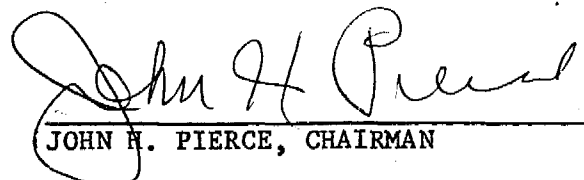
Discussion was open on HB190. Mr. Worden was opposed to the bill because of the extra load of work placed on banks to do this sort of itemizing. Mr. Gilligan said the only thing this bill does is necessitate itemizing in dollar amount the collateral. Mr. Stratton said if this bill passed, it would completely reverse the intent of the present statute which had the main purpose of eliminating this extra paperwork. Chairman Pierce appointed a sub-committee of Stratton, East and Darrow to study the bill and report back on Monday.

Motion was made by Mr. Nugent that HB183 do pass; seconded by Nugent; passed with no opposition.

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Motion was made by Wolf that HJR/as amended do pass; seconded by Mr. East; passed with no opposition.

Meeting was adjourned.


JOHN H. PIERCE, CHAIRMAN

Virginia Sawyer, Secretary

MINUTES OF MEETING OF THE
COMMERCE AND LABOR COMMITTEE
STATE SENATE

February 13, 1967

The meeting was called to order by Chairman Siderius, on Monday, February 13, 1967 at 8:30 am. in Room 408 of the State Capitol Building.

ROLL CALL: All members present except Senator Hilling.

CONSIDERATION OF HOUSE BILL 71: Representative Christensen, author of the bill, gave a summary of his bill, which deals with regulating the retail sale of imitation American Indian arts and crafts articles.

Representative Bardanouve also spoke in favor of the bill. Senator Percy DeWolfe, Senator from Glacier County appeared as a proponent also.

SENATOR KAFKA MOVED to CONCUR and SENATOR BERTSCHE SECONDED. CARRIED.

CONSIDERATION OF HOUSE BILL 335: This bill is the "plumbers bill."

Proponents appearing were:

Leo Graybill - Plumbers Joint Legislative Council

Mary Louise Date - Plumbing Board Secretary

John Cavan - Plumbers Joint Legislative Council

Mr. Duffy

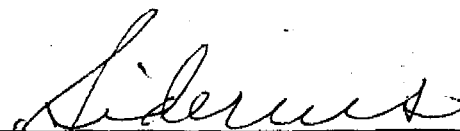
NO ACTION TAKEN.

CONSIDERATION OF SENATE RESOLUTION 9: Author of the resolution, SENATOR STEIN, appeared. This resolution is to request Congress to provide Federal Assistance to domestic gold producers. SENATOR HIBBARD MOVED SENATE RESOLUTION 9 BE ADOPTED. SENATOR KAFKA SECONDED. CARRIED.

CONSIDERATION OF HOUSE BILL 73: This bill related to the size of interior electrical signs furnished retailers by Brewers or wholesalers. John Risken appeared in favor of the bill, he represented the United States Brewers Association. There were no opponents. SENATOR BERTSCHE MOVED that HOUSE BILL 73 be amended. SENATOR DZIVI SECONDED. CARRIED. SENATOR BERTSCHE MOVED TO CONCUR on HOUSE BILL 73. SENATOR DZIVI SECONDED. CARRIED.

SENATOR DZIVI MOVED TO ADJOURN. SENATOR HAFFERMAN SECONDED. CARRIED.

ADJOURNMENT.



SENATOR GEORGE SIDERIUS, CHAIRMAN

Numbering.

be made by warrant drawn by the registrar. The distinctive registration numbers shall begin with a number one (1) or with a letter-number combination such as "A 1" or "AA 1," or any other similar combination of letters and numbers and be numbered consecutively for each series of plates. The distinctive registration number or letter-number combination assigned to the vehicle shall appear on the plate preceded by the number of the county and appearing in horizontal order on the same horizontal base line, and the county number shall be separated from the distinctive registration number by a dash or a dot unless a letter-number combination is used. The dimensions of such numerals and letters shall be determined by the registrar of motor vehicles, provided that all county and registration numbers shall be of equal height.

Tax exempt vehicles.

(3) For the use of tax-exempt motor vehicles, in addition to the markings herein provided, number plates shall have thereon the following distinctive markings:

For vehicles owned by the state the registrar of motor vehicles may designate the prefix number for the various state departments, and all numbered plates issued to state departments shall bear the words 'State Owned' and no year number will be indicated thereon as these numbered plates will be of a permanent nature, and will be renewed by the registrar of motor vehicles at such time when the physical condition of numbered plates require same. For vehicles owned by the counties, municipalities and school districts and used and operated by officials and employees thereof in line of duty as such, and for vehicles on loan from the United States government or the state of Montana, to, or owned by, the civil air patrol and used and operated by officials and employees thereof in the line of duty as such, there shall be placed on the number plates assigned thereto, in such position thereon as the registrar may designate, the letter "X" or the word "EXEMPT." Distinctive registration numbers for plates assigned to motor vehicles of each of the counties in the state and those of the municipalities and school districts situated within each of said counties shall begin with number 1 and be numbered consecutively.

Truck and trailer vehicles.

(4) On all number plates assigned to motor vehicles of the truck and trailer type, other than tax-exempt trucks and trailers, there shall appear the letter "T" or

the word "TRUCK" for plates assigned to trucks and the letters "TR" or the word "TRAILER" for plates assigned to trailers, and *house trailers*.

Number plates assigned to any motor vehicle shall be used only on the specified motor vehicle to which originally assigned.

(5) For the purpose of this act, the several counties of the state shall be assigned numbers as follows: Silver Bow, 1; Cascade, 2; Yellowstone, 3; Missoula, 4; Lewis and Clark, 5; Gallatin, 6; Flathead, 7; Fergus, 8; Powder River, 9; Carbon, 10; Phillips, 11; Hill, 12; Ravalli, 13; Custer, 14; Lake, 15; Dawson, 16; Roosevelt, 17; Beaverhead, 18; Chouteau, 19; Valley, 20; Toole, 21; Big Horn, 22; Musselshell, 23; Blaine, 24; Madison, 25; Pondera, 26; Richland, 27; Powell, 28; Rosebud, 29; Deer Lodge, 30; Teton, 31; Stillwater, 32; Treasure, 33; Sheridan, 34; Sanders, 35; Judith Basin, 36; Daniels, 37; Glacier, 38; Fallon, 39; Sweet Grass, 40; McCone, 41; Carter, 42; Broadwater, 43; Wheatland, 44; Prairie, 45; Granite, 46; Meagher, 47; Liberty, 48; Park, 49; Garfield, 50; Jefferson, 51; Wibaux, 52; Golden Valley, 53; Mineral, 54; Petroleum, 55; Lincoln, 56; any new counties shall be assigned numbers by the registrar of motor vehicles as they may be formed, beginning with the number 57."

County designation.

Section 2. This act shall be in effect upon its passage and approval.

Effective immediately.

Approved: February 16, 1967.

CHAPTER 42

An Act Regulating the Retail Sale of Imitation American Indian Arts and Crafts Articles.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. As used in this act:

(1) "Indian" means a person who is enrolled or who is a lineal descendant of one enrolled upon an enrollment listing of the Bureau of Indian Affairs, or upon the enrollment listing of a recognized Indian tribe, domiciled in the United States.

"Indian."

"Imitation Indian arts or crafts articles."

(2) "Imitation Indian arts or crafts articles" means those made by machine, or made wholly out of synthetic or artificial materials, or articles which are not made by Indian labor or workmanship.

Imitations designated.

Section 2. No person shall distribute, sell, or offer for sale in this state any imitation American Indian arts or crafts articles unless the articles are at all times clearly and legibly designated as imitation.

Authentic articles.

Section 3. Only those articles bearing a registered trademark or label of authentic Indian labor or workmanship may be deemed authentic Indian arts or crafts articles.

Violation a misdemeanor.

Section 4. Any person who violates this act is guilty of a misdemeanor.

Approved: February 16, 1967.

CHAPTER 43

An Act to Amend Section 26-1201, R.C.M. 1947, Relating to Game or Fur Farm Permits Before Engaging in the Business or Occupation of Propagating, Owning and Controlling Game Animals, Game Birds or Furbearing Animals of the State of Montana by Excepting Migratory Game Birds and by Providing That the Owning, Controlling, Propagating, Salvage, Banding, Transportation, Shipping, Import, Export, Acquisition and Seientific Collecting of Migratory Game Birds Shall Be in Compliance With Regulations of the State Fish and Game Commission Adopted Pursuant to Section 26-320, R.C.M. 1947, by Removing the Requirement That the Skins, Pelts or Products of Game Farms Be Subject to the Same Royalty Tax and Tagging as Are the Skins or Pelts of Like Wild Animals, and Providing for a Special Tag Purchased From the Commission for a Fee of Five (5) Cents Each.

Be it enacted by the Legislative Assembly of the State of Montana:

Amending clause.

Section 1. Section 26-1201, R.C.M. 1947, is amended to read as follows:

Permit for breeding game birds and animals and furbearing animals.

"26-1201. **Permit for breeding and propagating game birds and animals and furbearing animals.** Any person, or persons, firm, company or corporation before engaging in

the business or occupation of propagating, owning and controlling game animals, game birds (*except migratory game birds*), or furbearing animals of the state of Montana, shall first procure a game or fur farm permit from the state fish and game director. *The owning, controlling, propagating, salvage, banding, transportation, shipping, import, export, acquisition and scientific collecting of migratory game birds shall be in compliance with regulations of the commission adopted pursuant to section 26-320, R.C.M. 1947.*

Exception.

Such game or fur farm permit shall be issued to responsible applicants who own or lease the premises on which their operations are to be conducted, when such applicant has so fenced the place where such game or fur farm is located, with fencing material, approved by the state fish and game director, so that no wild or public animal of like species can mix with those confined.

Applicants—requirements.

Foundation stock for a fur farm may be obtained from the state fish and game commission by a free permit authorizing game farm permit holders to capture a designated number of furbearing animals, with the exception of beaver or marten, for breeding stock, under such rules and regulations as the commission shall prescribe. Such furbearing animals captured under permit shall not be sold or pelted for the period of one (1) year after their capture and the skins or pelts of any furbearing animals accidentally killed during their capture or for the period of one (1) year thereafter shall be turned over to the state fish and game director.

Foundation stock.

Limitations on disposition.

A charge shall be made for the capture of each beaver or marten by fur farm permit holders for foundation stock, under authorization of the state fish and game warden, as follows:

Charge for foundation stock.

Beaver—fifteen dollars (\$15) each.

Marten—twenty-five dollars (\$25) each.

The skins, pelts or products of such beaver and marten on game or fur farms shall be tagged individually with tags purchased from the commission for a fee of five (5) cents each. Each game farm or fur farm shall be open to complete inspection by the state fish and game director or his wardens at any reasonable time, inclusive of the whole area thereof, all stock thereon, and all structures, pens,

Tagging.

Inspection.